

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services - Police – Petition of Sri M.Krishnaiah, Ex. PC 1131, 9th Bn., APSP, against the punishment of “Termination of Probation” – Allowed – Orders – Issued.

HOME (SERVICES-II) DEPARTMENT

G.O.Rt.No. 138

Dated: 15 -01-2013.

Read the following:-

1. From Sri M.Krishnaiah, Ex. PC-1131, 9th Bn., APSP, petition dated: Nil.
2. Govt. Memo No.19643/Ser-II/A2/2009-1, dated: 20-07-2009.
3. From the D.G.P., A.P., Hyderabad, Lr.No.No.885/N2/2011, dated: 23-7-2011.

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ORDER:

In the reference 1st read above, Sri M.Krishnaiah, Ex. PC-1131, 9th Bn., APSP has submitted a representation to Government against termination of his probation and requested for reinstatement into service.

2. In the letter 3rd read above, the Director General of Police, A.P., Hyderabad has stated that Sri M.Krishnaiah was appointed as PC on 1-3-1996. The Commandant, 9th Bn., A.P.S.P. has removed him from service vide D.O.No.159/99, dated:14-11-1996 after conducting regular enquiry on the delinquency of absent from duties from 14-11-1996 to 22-01-1997 and subsequent desertion. On revision, the Inspector General of Police, A.P.S.P Bns., has modified the said penalty to that of “RTSP by two stages with cumulative effect” treating the out of employment as ‘Not on Duty’, in proceedings dt:29-08-2001, and further in proceedings dt:16-07-2003, the punishment was modified to that of “PPI for one year with effect” in view of the inoperative punishment of RTSP, as the PC was a probationer and the pay of the PC cannot be reduced by two stages.

3. He further informed that on reinstatement in to service, the period of probation of individual was commenced afresh w.e.f. 01-09-2002 and he completed the two years duty by 07-03-2005. During the fresh probation period, he was absented for duty for four times, i.e. total absent is of 5 months and 15 days. The performance of the PC during the period of fresh probation was found un-satisfactory mentioned above, after giving one month notice, the probation of M. Krishnaiah, PC 1131 was terminated w.e.f. 10-07-2005.

4. The D.G.P. has also informed that further, in the light of the orders of Hon’ble High Court in W.P.No.24004/05, M.Krishnaiah, Ex. P.C. has preferred an appeal to the Addl. DGP, APSP Bns. His appeal petition was considered and rejected by the Addl. DGP, APSP Bns. in H.O.O.No.191/08, dated:19-04-2008.

5. Aggrieved with the above orders, the individual has submitted mercy petition to the Government, vide representation 1st read above, requesting to reinstate him into service.

6. Government, after careful examination of the entire matter, with reference to the records made available observed that the individual was appointed in the year 1996 and was awarded the penalty of Removal on 14-11-2009 as per A.P.Civil Service (CCA) Rules, 1991 which was however later modified to PPI for one year with effect. Hence, keeping him on probation afresh again w.e.f. 1-9-2002 and terminating him from service under A.P. State and Subordinate Rules, 1996 is not fair and just. Therefore, Sri M.Krishnaiah, Ex. PC 1131 of 9th Bn., A.P.S.P, Venkatagiri, Nellore District is hereby reinstated into service with immediate effect and the period of probation shall be computed from the date of his initial appointment, duly treating the out of employment period as ‘Not on Duty’.

7. The Director General of Police, A.P., Hyderabad, is requested to take necessary further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**T.P.DAS
PRINCIPAL SECRETARY TO GOVERNMENT.**

To

The Director General of Police, A.P., Hyderabad. (w.e)

Copy to:- The individual concerned (through D.G.P., A.P., Hyderabad)

// FORWARDED :: BY ORDER //

SECTION OFFICER.